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14 Attorneys for Defendants  
15 BANC OF AMERICA INVESTMENT SERVICES, INC., QUICK & REILLY,  
16 FLEET NATIONAL BANK, AND FLEET INVESTMENT SERVICES, INC.,  
now known as FLEET PCG SERVICES, INC.

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19  
20 IRENE SINOW, DANIEL KEW and  
21 GARY PEREIRA on behalf of  
themselves, the general public, and all  
others similarly situated,

22 Plaintiffs,

23 vs.

24 BANC OF AMERICA INVESTMENT  
25 SERVICES, INC., QUICK & REILLY,  
FLEET NATIONAL BANK, and  
26 FLEET INVESTMENT SERVICES,  
INC., a foreign corporations,

27 Defendants.

28 CASE NO. C 06 4466 SC

**STIPULATION TO BE  
RELIEVED OF PENDING  
DATES SET BY COURT IN  
LIGHT OF TRANSFER ORDER  
BY MULTI-DISTRICT  
LITIGATION PANEL**

1           This Stipulation is made between Plaintiffs Irene Sinow, Daniel Kew,  
2 and Gary Pereira (collectively, "Plaintiffs") and Defendants Banc of America  
3 Investment Services, Inc., Quick & Reilly, Fleet National Bank, and Fleet  
4 Investment Services, Inc., (collectively, "BAI") through their counsel of record.

5  
6           WHEREAS, on July 21, 2006, this Honorable Court set the Initial  
7 Case Management Conference for November 17, 2006;

8  
9           WHEREAS, the instant matter was the subject of a motion to the Panel  
10 on Multi-District Litigation ("MDL Panel") seeking to centralize for coordinated  
11 and consolidated pretrial proceedings three actions filed against BAI, including this  
12 action, to the United States District Court for the Southern District of New York  
13 pursuant to 28 U.S.C. § 1407 ("Transfer Motion");

14  
15          WHEREAS, because of the pending Transfer Motion, on October 27,  
16 2006, pursuant to the stipulation of the parties, this Honorable Court continued the  
17 Initial Case Management Conference to January 26, 2007;

18  
19          WHEREAS, the MDL Panel heard argument on the Transfer Motion  
20 on November 30, 2006 and, on December 19, 2006, ordered transferred to the  
21 Central District of California the actions pending outside that district, including the  
22 instant action, and assigned those actions to the Honorable Alicemarie H. Stotler for  
23 coordinated or consolidated pretrial proceedings with the action pending in that  
24 district, entitled *James Karim, et al. v. Banc of America Investment Services, Inc.*,  
25 Case No. SACV06-167 AHS (MLGx);

26  
27          WHEREAS, as of the date of the filing of this Stipulation, the MDL  
28 Panel's order transferring the case does not appear on this Court's docket;

1                   WHEREAS, for the convenience of the Court, the parties attach as  
2 Exhibit A a true and correct copy of the MDL Panel's order transferring the instant  
3 case to the Central District of California;

5 NOW THEREFORE, the parties agree to ask the Court, in the interest  
6 of conserving judicial and party resources, for an order removing the Initial  
7 Scheduling Conference currently set for January 26, 2007 from the Court's calendar  
8 and relieving the parties of their duties under the Court's Order Setting Initial Case  
9 Management Conference and ADR Deadlines, including the duties under Rule 26  
10 to meet-and-confer and exchange initial disclosures.

DATED: January 4, 2007

KIRBY C. WILCOX  
STEPHEN P. SONNENBERG  
MARIA A. AUDERO  
PAUL, HASTINGS, JANOFSKY & WALKER  
LLP

By: /s/ MARIA A. AUDERO  
MARIA A. AUDERO (SBN 210141)

Attorneys for Defendants  
BANC OF AMERICA INVESTMENT  
SERVICES, INC., QUICK & REILLY, FLEET  
NATIONAL BANK, AND FLEET  
INVESTMENT SERVICES, INC., now known as  
FLEET PCG SERVICES, INC.

DATED: January 4, 2007

**LOVELL STEWART & HALEBIAN  
LAW OFFICE OF JOHN M. KELSON  
JERRY K. CIMMET**

By: /s/ JERRY K. CIMMET  
JERRY K. CIMMET (SBN 33731)

Attorneys for Plaintiffs  
IRENE SINOW, DANIEL KEW, AND GARY  
PEREIRA

1                           **[PROPOSED] ORDER**  
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5  
6                           HAVING reviewed the above stipulation, the Court hereby orders as  
7 follows:  
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- 10                          1.       The Initial Scheduling Conference currently set for January 26,  
11 2007, and all dates related thereto, are taken off calendar;  
12  
13                          2.       The parties are relieved of their obligations under Rule 26 to  
14 meet-and-confer and exchange initial disclosures.  
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16

17                          Dated: 1/8/07  
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